

**SURFACE TRANSPORTATION BOARD  
SECTION OF ENVIRONMENTAL ANALYSIS**

**POST ENVIRONMENTAL ASSESSMENT**

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-325 (Sub-No, 4X)

**April 24, 2008**

**ABANDONMENT TYPE**

The time for comments on the Environmental Assessment (EA) has expired in this:

(X) Notice of Exemption ( ) Petition for Exemption ( ) Regulated Abandonment

( ) **NO NEW COMMENTS WERE RECEIVED**

(X) **NEW COMMENTS WERE RECEIVED**

SEA served an Environmental Assessment (EA) for this proceeding on April 4, 2008 for public review and comment. In the EA, SEA recommended four environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment

**Comments on the EA**

SEA received one comment from FMID after issuance of the EA. FMID indicated that it received a letter from the Florida Department of Environmental Protection (FDEP) on April 10, 2008 stating that FMID will not need to submit a OIS-generated linear corridor map to FDEP. Accordingly, the first condition previously recommended in the EA has been satisfied, and we no longer recommend that it be imposed.

Regarding the third and fourth conditions previously recommended in the EA, FMID stated that on April 10, 2008, a representative of FMID walked the track that is subject to abandonment and found no evidence of tortoises or any NGS monuments in the vicinity of the track. FMID indicated that it had consulted with Mr. Simon Monroe at NOAA, who stated that if there were no NGS monuments within 10 feet of the track, then NOAA would not be concerned with the proposed abandonment. Accordingly, the fourth condition previously recommended in the EA has been addressed, and we no longer recommend that it be imposed. However, FMID did not mention whether or not it had actually consulted with Mr. Rick McCann at the Florida Fish and Wildlife Conservation Commission about the tortoises and any incidental take or relocation permits that may be required. Therefore, we recommend that the third condition previously recommended in the EA should still be imposed on any decision granting abandonment authority.

## **Conclusions**

The EA comment period has ended. Accordingly, SEA recommends that the following two conditions previously recommended in the EA should be imposed upon any decision granting abandonment authority;

1. Prior to commencement of any salvage activities, Florida Midland Railroad Company, tnc. shall consult with the St. Johns River Water Management District's Orlando Service Center regarding permitting and track removal and comply with its reasonable requirements.
2. Prior to commencement of any salvage activities, Florida Midland Railroad Company, Inc. shall consult with Mr. Rick McCann of the Florida Fish and Wildlife Conservation Commission, Division of Habitat and Species Conservation regarding tortoises in the project area and any incidental take or relocation permits that may be required.

If the above conditions are imposed, SEA believes that the proposed action will not significantly arTect the quality of the human environment

SEA CONTACT: Danielle Gossclin, 245-0300